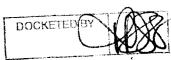
BEFORE THE ARIZONA CORPORATION C

Arizona Corporation Commission DOCKETED

APR 2 0 2011



2 **COMMISSIONERS** GARY PIERCE, Chairman 3 **BOB STUMP** SANDRA D. KENNEDY 4 PAUL NEWMAN **BRENDA BURNS**

1

22

23

24

25

26

27

2011 /97 20 P 3: 58 AT COMPICE. THE DOCKET CONTROL

5		
6 7	IN THE MATTER OF THE APPLICATION OF INDIADA WATER COMPANY, INC., FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.	DOCKET NO. W-02031A-10-0168
8910	IN THE MATTER OF THE APPLICATION OF ANTELOPE RUN WATER COMPANY FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.	DOCKET NO. W-02327A-10-0169
11 12 13	IN THE MATTER OF THE APPLICATION OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.	DOCKET NO. W-01906A-10-0170
14 15 16	IN THE MATTER OF THE APPLICATION OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY, INDIADA WATER COMPANY, INC., AND ANTELOPE RUN WATER COMPANY FOR APPROVAL OF A TRANSFER OF ASSETS AND CERTIFICATES OF CONVENIENCE AND NECESSITY.	DOCKET NO. W-01906A-10-0171 DOCKET NO. W-02031A-10-0171 DOCKET NO. W-02327A-10-0171
18 19	IN THE MATTER OF THE APPLICATION OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY FOR AUTHORITY TO INCUR LONG-TERM DEBT.	DOCKET NO. W-01906A-10-0183
20 21	IN THE MATTER OF THE APPLICATION OF INDIADA WATER COMPANY, INC. FOR AUTHORITY TO INCUR LONG-TERM DEBT.	DOCKET NO. W-02031A-10-0184

IN THE MATTER OF THE APPLICATION OF ANTELOPE RUN WATER COMPANY FOR AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02327A-10-0185

STAFF'S RESPONSE

The Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission") files this reply to the East Slope Water Company, Indiada Water Company and Antelope Run Water (collectively the Companies) response to Staff's Motion to Suspend the Time Clock.

28

Contrary to the assertions made by the Companies in its response to the Staff's Motion, responses have not been timely received. For example, Staff's first set of data responses were outstanding from September 29, 2010 until recently. The response to Staff's second set of data responses that were issued on March 3, 2011, were received April 1, 2011 and were incomplete.¹ The remainder of the responses were received a week later. Given the historical delays in receiving responses to Staff's data requests, Staff maintains that suspension of the time clock is necessary in the docket.

During the discovery phase, Staff uses both formal and informal data requests. For example, if an answer is unclear, it is not uncommon for Staff to engage in dialogue with a utility by either a phone call or an email for clarification. In this instance, the Companies have insisted that all data responses be formal and sent through counsel. The Companies provided conflicting information in response to certain data requests and while Staff will pursue a meeting with the Companies to clarify, the process would be easy if the Staff engineer could contact the Companies' engineer or operator instead of sending rounds and rounds of data requests. This delays the discovery process.

The delays in the discovery process continue to hamper Staff's ability to process these applications. Staff continues to urge the granting of its motion to suspend the time clock.

Robin/R. Mitchell

(602) 542-3402

Attorney, Legal Division

Arizona Corporation Commission

1200 West Washington Street Phoenix, Arizona 85007

uthled

RESPECTFULLY SUBMITTED this 20th day of April, 2011.

19

24

25

26

27

28

¹ The Companies requested and received a two-week extension to respond and did not meet that extension date. The responses to Staff's second set of data requests were not received by Staff until April 4, 2011. Apparently the Companies delivered the responses to the Commission's docket control on April 1, 2011; docket control was unable to process and was unsuccessful in reaching the Companies for further instruction and thus returned the responses to the Companies.

Original and thirteen (13) copies of the foregoing were filed this 20 th day of April, 2011 with: Docket Control Arizona Corporation Commission		
		1200 West Washington Street Phoenix, Arizona 85007
		Copies of the foregoing were mailed this 21st day of April, 2011 to:
Steve Wene, Esq.		
MOYES STOREY, LTD 1850 North Central Avenue, Suite 1100		
Phoenix, Arizona 85004		
Whlestodye		
,		
l		
2		
3		
4		
5		
6		
֡֡֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜		